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FACSIMILE (864) 654-4315**RECEIVED**  
**CENTRAL FAX CENTER****SEP 21 2005****PATENTS, TRADEMARKS & COPYRIGHTS**

DATE: September 21, 2005

TO: USPTO  
Fax: 571-273-8300

RE: U.S. Serial No. 10/734,967  
Our file: MCP-2

Pages (including cover): 9 pages

## Contents:

Transmittal Form (1 pg.)  
Fax machine activity report (1 pg.)  
Previously transmitted Transmittal Form (1 pg.)  
Previously transmitted Response (5 pgs.)

Sir or Madam:

The attached fax was sent to the PTO's central fax number on Monday, September 19, 2005 between 3:00 and 3:30 in the afternoon. The fax number for the transmitting machine is 757-481-2271. However, the header is my fax number in South Carolina - 864-654-4315. Each month I file several responses via fax and the fax confirmation is received in my South Carolina office. However, a fax confirmation was not received on this response. A customer service representative at the EBC has informed me that, according to their records, the last fax received from my fax line was September 13, 2005.

Attached please find the Activity Report for my fax machine which incorrectly notes today's date to be 01/27/2006. It shows a seven-page fax being sent two days ago (noted as 01/25, but obviously 09/19/2005) to 15712738300. Prior to that transmittal, the most recent fax was sent eight days ago (noted as 01/19). Clearly this is the transmittal of September 13, 2005 mentioned by the EBC representative.

Please note, this transmittal was time sensitive as Monday the 19<sup>th</sup> was the last day to file this response without having to file and pay the fee for an extension of time.

Please call me at 757-642-6039 if there is anything further I should do to clear up this problem.

Thank you, Leigh Gregory

The documents accompanying this telecopy contain confidential and legally privileged information belonging to the sender and intended only for the use of the individual named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of the telecopied information is strictly prohibited. If you receive this telecopy in error, please telephone the sender noted above to arrange for the return of the telecopied documents at no cost.

## ACTIVITY REPORT

TIME : 01/27/2006 18:00

DATE	TIME	FAX NO./NAME	DURATION	PAGE(S)	RESULT	COMMENT
11/06	21:19		01:39	04	OK	RX ECM
11/10	17:23	8035478723	01:12	02	OK	RX ECM
11/16	12:41		01:10	02	OK	RX ECM
11/16	13:13	15712738300	01:23	04	OK	TX ECM
11/23	17:39	15712738300	03:25	11	OK	TX ECM
11/24	18:50	15712738300	04:14	12	OK	TX ECM
11/25	16:49	15712738300	01:20	03	OK	TX ECM
11/25	16:56	15712738300	01:24	03	OK	TX ECM
11/25	17:03	15712738300	03:16	08	OK	TX ECM
12/21	19:30		11:24	20	NG	RX ECM
12/23	15:50	15712738300	01:56	06	OK	TX ECM
12/24	19:08		09:07	19	OK	RX ECM
12/27	19:19	6315509	03:35	09	OK	TX ECM
12/30	18:59		03:53	07	OK	RX ECM
12/30	19:12		39	01	OK	RX ECM
01/01	13:28		01:58	03	OK	RX
01/04	12:55	15712738300	02:19	07	OK	TX ECM
01/04	17:23		04:45	08	OK	RX ECM
01/05	17:11	15712738300	05:35	13	OK	TX ECM
01/15	16:17		01:21	02	OK	RX ECM
01/19	18:03	15712738300	02:34	08	OK	TX ECM
01/19	19:17		02:44	05	OK	RX ECM
01/19	19:57	17244640907	03:44	10	OK	TX ECM
01/20	18:45		01:22	04	OK	RX ECM
01/20	20:15	864 656 5600	01:50	03	OK	RX ECM
01/22	13:07	18646565600	45	02	OK	TX ECM
01/25	18:29		01:24	03	OK	RX ECM
01/25	19:10	15712738300	02:15	07	OK	TX ECM
01/26	20:48	864 656 5600	01:42	03	OK	RX ECM
01/26	20:58		01:36	03	OK	RX ECM

BUSY: BUSY/NO RESPONSE  
 NG : POOR LINE CONDITION  
 CV : COVERPAGE  
 CA : CALL BACK MSG  
 POL : POLLING  
 RET : RETRIEVAL

**LEIGH P. GREGORY**

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DATE: September 19, 2005  
TO: USPTO  
Fax: 571-273-8300  
RE: U.S. Serial No. 10/734,967  
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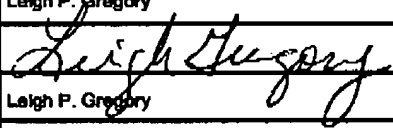
PTO/SB/21 (09-04)


Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10734,987	<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>SEP 21 2005</b>
	Filing Date	December 15, 2003	
	First Named Inventor	McPherson	
	Art Unit	3654	
	Examiner Name	Nguyen, John Cuoc	
Total Number of Pages in This Submission	7	Attorney Docket Number	MCP-2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Leigh P. Gregory		
Signature			
Printed name	Leigh P. Gregory		
Date	09/19/2005	Reg. No.	33,241

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Leigh P. Gregory	Date	09/19/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.